

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Art Unit: Not Yet Assigned  
 )  
 HENRY LAMPARSKI et al. ) Examiner: Not Yet Assigned  
 )  
 Serial No.: 09/780,748 )  
 )  
 Filed: February 9, 2001 )  
 )  
 For: METHOD FOR PREPARING )  
MEMBRANE VESICLES )

PETITION FOR WITHDRAWAL OF NOTICE OF ABANDONMENT  
UNDER 37 C.F.R. § 1.181(a)

MAIL STOP OFFICE OF PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition under 37 C.F.R. § 1.181(a) that the Notice of Abandonment for the above-referenced application be withdrawn, and that the application proceed to issuance on the grounds that the declaration of all of the inventors pursuant to 37 C.F.R. 1.63 was timely filed.

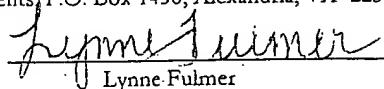
The Notice of Abandonment, mailed on 08/29/03, a copy of which is attached as Exhibit "A," states that the application became abandoned because of Applicants' failure to timely file the declaration on April 30, 2001. A copy of the postcard, indicating that the response was received by

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CERTIFICATE OF MAILING  
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail Post Office To Addressee in an envelope addressed to the MAIL STOP OFFICE OF PETITIONS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: September 26, 2003

  
Lynne Fulmer

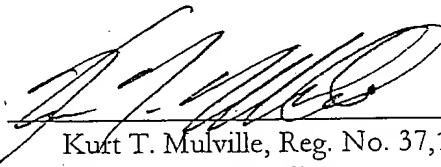
the Patent Office on April 30, 2001, and the Express Mail receipt, are enclosed as Exhibit "B." A copy of the transmittal, indicating that the declaration is attached, and the declaration at issue is attached as Exhibit "C."

Petition Fee

Applicants believe that no fee is due. If Applicants are incorrect in this regard, the Commissioner is authorized to charge Orrick, Herrington & Sutcliffe's Deposit Account No. 150665 for any petition fee due.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

By   
Kurt T. Mulville, Reg. No. 37,194  
Attorneys for Applicants

Date: September 26, 2003

KTM/lf  
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Applicant: HENRY LAMPARSKI, et al.  
Serial No.: 09/780,748

Filed: February 9, 2001

For: METHODS FOR PRODUCING MEMBRANE VESICLES

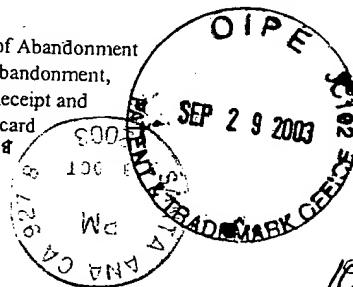
Attorney(s): KURT T. MULVILLE

Docket No.: 702015.3 (former 260/058)

Date of Deposit: September 26, 2003

Enclosures: Petition for Withdrawal of Notice of Abandonment  
accompanied by Exhibit A Copy of Notice of Abandonment,  
Exhibit B Copy of Postcard and Express Mail Receipt and  
Exhibit C Copy of Declaration; and Return Postcard  
MISSING PARTS TRANSMITTED

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/780,748	02/09/2001	Henry Lamparski	2601058 702015-B

CONFIRMATION NO. 6949

ABANDONMENT/TERMINATION  
LETTER

\*OC000000010792252\*

Date Mailed: 08/29/2003

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 04/10/2001.

- The reply received on 04/30/2001 was improper. The reply did not include:
  - The oath or declaration of all the inventors required under 37 CFR 1.63 for this nonprovisional application.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice MUST be returned with the reply.*

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PART 2 - COPY TO BE RETURNED WITH RESPONSE

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Applicant: HENRY LAMPARSKI, et al.

Serial No.: 09/780,748

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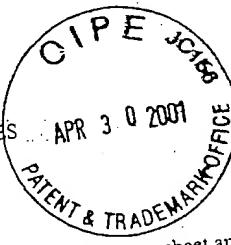
For: METHOD OF PRODUCING MEMBRANE VESICLES

Attorney(s): KURT T. MULVILLE

Docket No.: 260/058

Date of Deposit: April 30, 2001

Enclosures: 1. Missing Parts Transmittal; 2. Declaration; 3. Recordation form cover sheet and  
Assignment; 4. Power of Attorney; 5. Copy of "Notice to File Missing Parts;" and 6.  
Return Postcard  
Express Mail No. EL476730345US



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